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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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7 UNITED STATES OF AMERICA,
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9 Plaintiff,
10 v.
11 KRYSTAL BUMGARDNER,
12 Defendant.

Case No. 2:22-cr-00190-APG-NJK

ORDER
(Docket No. 64)

13 Presently before the Court is Defendant Krystal Bumgardner's motion to seal filed in
14 relation to her motion to compel discovery. Docket No. 64. No response was filed.

15 "Unless a particular court record is one traditionally kept secret, a strong presumption in
16 favor of access is the starting point" in analyzing a motion to seal. *Kamakana v. City & Cnty. of*
17 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (citations and internal quotations omitted). For
18 sealing requests filed in relation to non-dispositive matters, a particularized showing of good cause
19 must be made to warrant secrecy. *Id.* at 1180.

20 In this case, no showing has been made to justify secrecy. The motion was filed in an
21 abundance of caution despite recognizing that the material contains no personal identifying
22 information and despite otherwise not identifying any potentially sensitive information. *See*
23 Docket No. 64 at 3.¹ Instead, Defendant indicates that the Government designated a document as
24 a whole as being confidential and the accompanying motion to compel included a screenshot of a
25 portion of that document. *See id.* at 1, 3. The mere fact that a party designated a document as
26 confidential pursuant to a stipulated protective order does not warrant keeping that document under

27 ¹ Filing a motion to seal in an abundance of caution does not generally make sense when
28 counsel could simply confer with the opposing side about sealing in advance of filing the related
motion. *Cf.* Docket No. 69 at 1 n.2.

1 seal after being filed with the Court. *See, e.g., Beckman Indus., Inc. v. Int'l Ins. Co.*, 966 F.2d 470,
2 476 (9th Cir. 1992). Moreover, the Government has not itself made any showing to support
3 secrecy.

4 Accordingly, the motion to seal is **DENIED**. The Clerk's Office is **INSTRUCTED** to
5 unseal Docket No. 65.

6 IT IS SO ORDERED.

7 DATED: May 6, 2025

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11 NANCY J. KOPPE
12 UNITED STATES MAGISTRATE JUDGE
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